

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Thomas A. Harris, Acting Presiding Justice; Honorable Rebecca A. Wiseman, Associate Justice; Honorable Betty L. Dawson, Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by Anthony Lauria, Senior Deputy Clerk.

F044171 Mary Palacios v. Jose Ortiz; Kern Co. Dept. of Child Support Services

Cause called and argued by Jose Ortiz, appellant in propria persona and by Michael Hammang, Esq., Deputy Attorney General, counsel for respondent.

Cause ordered submitted.

F044512 People v. Parras

Cause called and argued by Heather MacKay, Esq., counsel for appellant. Brian Alvarez, Esq., Deputy Attorney General, counsel for respondent waived oral argument.

Cause ordered submitted.

At this point Harris, Acting P.J. directs Wiseman, J. to act as Presiding Justice in his absence, and leaves the bench.

F045318 Bank of America v. La Jolla Group II et al.

Parties stipulate that (1) Ardaiz, P.J., the absent assigned justice, participate in the determination of this appeal, and (2) Ardaiz, P.J. to listen to the recording of oral proceedings upon his/her return.

Cause called and argued by Susan Moore, Esq., counsel for appellant and by Glen Wechsler, Esq., counsel for respondent.

Submission deferred for Ardaiz, P.J. to listen to the recording of oral argument.

Court recessed until 1:30 P.M.

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The court reconvened in its courtroom at 1:30 P.M. Present:
Honorable Thomas A. Harris, Acting Presiding Justice; Honorable
Rebecca A. Wiseman, Associate Justice; Honorable Betty L. Dawson,
Associate Justice; and Kay Frauenholtz, Clerk/Administrator, by
Shandra Gallagher, Assistant Deputy Clerk.

F044470 People v. Hernandez

Cause called and argued by Michael Satris, Esq., counsel for
appellant and by Wanda Rouzan, Esq., Deputy Attorney General,
counsel for respondent.

Cause ordered submitted.

F044975 C.A. Terhune v. Walter Vaughn; Yvonne Villanueva

Cause called and argued by Stephen Jennings, Esq., counsel for
appellant and by Robert Pellinen, Esq., counsel for real party in
interest respondent. Karen Brandt, Esq., counsel for respondent
waived oral argument.

Cause ordered submitted.

The court adjourns.

F043123 People v. J-Weial

Counsel having failed to request oral argument in the above-
entitled case, oral argument is deemed waived in accordance with the
provisions of a notice heretofore mailed to counsel and the cause is
submitted.

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F043123 People v. J-Weial

The judgment is modified to strike the prior prison term enhancement the court erroneously stayed. The trial court is directed to issue an amended abstract of judgment that eliminates any reference to this enhancement and to forward a certified copy to the Department of Corrections. As modified, the judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F045962 Fleetwood Travel Trailers of California, Inc. v. Superior Court of Kern County; Zulema Barron et al.

Pursuant to written stipulation of the parties hereto, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F046247 Marriage of Garcia

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F046400 In re V. T. et al., Minors

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F046400 In re V.T. et al., Minors**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F045528 In re Kenneth B., a Minor**
The judgment is affirmed. Harris, Acting P.J.
We concur: Wiseman, J.; Dawson, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F043898 People v. Quiroga**
The judgment is affirmed. Wiseman, J.
We concur: Harris, Acting P.J.; Gomes, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F045177 Hettick v. Craft**
The judgment is affirmed. Wiseman, J.
We concur: Harris, Acting P.J.; Gomes, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F043962 Dixon v. Boone et al.**
The judgment is reversed. The court's order denying plaintiff's motion filed July 28, 2003, to augment her expert designation is vacated. The case is remanded with instructions to permit plaintiff to add only one new retained expert surgical witness. Costs are awarded to plaintiff. Wiseman, J.
We concur: Harris, Acting P.J.; Gomes, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F046422 In re C. L., a Minor**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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- F046422 In re C. L., a Minor**
The order terminating parental rights is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F046759 In re Julian S., a Minor**
Appellant's petition for rehearing filed herein is denied.
- F046271 In re Eugene A., a Minor**
The disposition order is modified to strike the \$20 court security fee, and affirmed as so modified. Buckley, Acting P.J.
We concur: Wiseman, J.; Cornell, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F044888 People v. Morgan**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F044888 People v. Morgan**
Morgan's conviction in count 2 for forgery is reversed. The trial court is ordered to dismiss count 2, impose the stayed sentence on count 1, to prepare an amended abstract of judgment reflecting these changes, and to forward the abstract of judgment to the appropriate authorities. In all other respects the judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F045788 In re Elizabeth B., a Minor**
The judgment is affirmed. Buckley, Acting P.J.
We concur: Wiseman, J.; Cornell, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F044328 People v. Calderon**
Appellant's petition for rehearing filed herein is denied.